

106TH CONGRESS
2D SESSION

H. R. 4784

To provide for the establishment of a Midwest Clean Air Gasoline Reserve
to ensure the availability of gasoline in the Midwest.

IN THE HOUSE OF REPRESENTATIVES

JUNE 29, 2000

Mrs. BIGGERT (for herself, Mr. GREEN of Wisconsin, and Mr. LAHOOD) introduced the following bill; which was referred to the Committee on Commerce

A BILL

To provide for the establishment of a Midwest Clean Air
Gasoline Reserve to ensure the availability of gasoline
in the Midwest.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Midwest Clean Air
5 Gasoline Reserve Act”.

6 **SEC. 2. AUTHORITY TO ESTABLISH RESERVE.**

7 The Secretary of Energy may establish, maintain,
8 and operate in the Midwest a Midwest Clean Air Gasoline
9 Reserve. A Reserve established under this Act is not a

1 component of the Strategic Petroleum Reserve. A Reserve
2 established under this Act shall contain no more than
3 1,000,000 barrels of reformulated gasoline.

4 **SEC. 3. DEFINITIONS.**

5 For purposes of this Act—

6 (1) the term “Midwest” means the States or
7 parts of States of Illinois, Indiana, Iowa, Kansas,
8 Michigan, Minnesota, Missouri, Nebraska, North
9 Dakota, Ohio, South Dakota, and Wisconsin which
10 are required by the Environmental Protection Agen-
11 cy under section 211(k) of the Clear Air Act to use
12 reformulated gasoline; and

13 (2) the term “reformulated gasoline” includes
14 any of the compositions of gasoline which are re-
15 quired by the Environmental Protection Agency,
16 under section 211(k) of the Clean Air Act, to be
17 used.

18 **SEC. 4. SECRETARY’S AUTHORITY.**

19 To the extent necessary or appropriate to carry out
20 this Act, the Secretary of Energy may—

21 (1) purchase, contract for, lease, or otherwise
22 acquire, in whole or in part, storage and related fa-
23 cilities, and storage services;

1 (2) use, lease, maintain, sell, or otherwise dis-
2 pose of storage and related facilities required under
3 this Act;

4 (3) acquire by purchase, exchange (including
5 exchange of petroleum products from the Strategic
6 Petroleum Reserve or received as royalty from Fed-
7 eral lands), lease, or otherwise—

8 (A) reformulated gasoline; or

9 (B) petroleum products for refinement into
10 reformulated gasoline,

11 for storage in the Midwest Clean Air Gasoline Re-
12 serve;

13 (4) enter into contracts or other arrangements
14 for the storage of reformulated gasoline or other pe-
15 troleum products in facilities not owned by the
16 United States; and

17 (5) sell, exchange, or otherwise dispose of refor-
18 mulated gasoline or other petroleum products from
19 the Reserve established under this Act pursuant to
20 section 5.

21 **SEC. 5. CONDITIONS FOR RELEASE; PLAN.**

22 (a) CONDITIONS FOR RELEASE.—Except as provided
23 in subsection (b), the Secretary of Energy may release re-
24 formulated gasoline only in the event of—

25 (1) a severe energy supply disruption;

1 (2) a severe price increase; or

2 (3) another emergency affecting the Midwest,
3 which the President determines to merit a release from
4 the Reserve.

5 (b) EXCEPTION.—The Secretary of Energy may, on
6 terms the Secretary considers reasonable, sell, exchange,
7 or otherwise dispose of reformulated gasoline from the Re-
8 serve established under this Act in order to maintain the
9 quality or quantity of the reformulated gasoline stocks in
10 the Reserve or to maintain the operational capability of
11 the Reserve.

12 (c) PLAN.—Within 45 days after the date of the en-
13 actment of this Act, the Secretary of Energy shall trans-
14 mit to the Congress a report indicating whether the Sec-
15 retary intends to establish a Reserve under this Act or
16 not. If the Secretary intends to establish a Reserve, the
17 report shall include—

18 (1) a plan for the acquisition of storage and re-
19 lated facilities or storage services for the Reserve;

20 (2) a plan for the acquisition of reformulated
21 gasoline or other petroleum products for storage in
22 the Reserve;

23 (3) a description of the anticipated methods of
24 disposition of reformulated gasoline or other petro-
25 leum products from the Reserve; and

1 (4) a description of the estimated costs of es-
2 tablishment, maintenance, and operation of the Re-
3 serve.

4 If the Secretary decides not to establish a Reserve, the
5 report shall include an explanation of the reasons for such
6 decision.

7 (d) STORAGE.—The storage under this Act of refor-
8 mulated gasoline or other petroleum products in a storage
9 facility that meets all applicable Federal and State envi-
10 ronmental requirements shall not be considered a “major
11 Federal action significantly affecting the quality of the
12 human environment” as that term is used in section
13 102(2)(C) of the National Environmental Policy Act of
14 1969.

15 **SEC. 6. MIDWEST CLEAN AIR GASOLINE RESERVE**
16 **ACCOUNT.**

17 (a) ESTABLISHMENT.—Upon a decision of the Sec-
18 retary of Energy to establish a Reserve under this Act,
19 the Secretary of the Treasury shall establish in the Treas-
20 ury of the United States an account known as the Midwest
21 Clean Air Gasoline Reserve Account (referred to in this
22 section as the “Account”).

23 (b) DEPOSITS.—The Secretary of the Treasury shall
24 deposit in the Account any amounts appropriated to the

1 Account and any receipts from the sale, exchange, or other
2 disposition of reformulated gasoline from the Reserve.

3 (c) USE OF FUNDS.—The Secretary of Energy may
4 obligate amounts in the Account to carry out activities
5 under this Act without the need for further appropriation,
6 and amounts available to the Secretary of Energy for obli-
7 gation under this section shall remain available without
8 fiscal year limitation.

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